

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

CYNTHIA WRIGHT,

Plaintiff,

CIVIL ACTION NO.

v.

MILWAUKEE AREA TECHNICAL COLLEGE,
700 W. State Street
Milwaukee, WI 53233

Defendant.

COMPLAINT

NOW COMES the Plaintiff, Cynthia Wright, by and through her attorneys, McDonald & Kloth, LLC, and as and for her cause of action against the Defendant, Milwaukee Area Technical College, alleges and shows to the Court as follows:

NATURE OF THE ACTION

This action arises under Title IX of the Education Amendments Act of 1972 (hereinafter “Title IX”), to correct unlawful practices on the basis of sex and retaliation. Plaintiff seeks a permanent injunction against Defendant as well as compensatory damages, attorney’s fees, costs, and any other such relief the Court may deem appropriate.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is proper pursuant to 28 U.S.C. § 1331. This action is authorized and instituted pursuant to Title IX, 20 U.S.C. §§ 1681-1688.
2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) and (c). The practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Eastern District of Wisconsin.

PARTIES

3. The Plaintiff, Cynthia Wright (hereinafter “Wright” or “Plaintiff”), is a former resident of the State of Wisconsin with a new residence located in Aubrey, Texas.
4. The Defendant, Milwaukee Area Technical College (“MATC”), is a technical college included within the Wisconsin Technical College System established under Chapter 38 of the Wisconsin Statutes. MATC’s main campus and its headquarters are located at 700 West State Street, Milwaukee, WI 53233.

STATEMENT OF CLAIMS

5. Wright is a female who has taken several classes at MATC’s campuses.
6. MATC has campuses in Milwaukee, Mequon, Oak Creek, and West Allis.
7. During the 2018 – 2019 school year, Wright attended classes at MATC’s Milwaukee, Mequon, and West Allis campuses.
8. At all times relevant to this action, MATC employed Steven Tipton (“Tipton”) in the capacity of a teacher and/or aid at its Mequon campus.
9. On or about April 25, 2019, Tipton approached Wright at MATC’s Mequon campus and asked for her telephone number. Tipton assured Wright that he was not married.
10. On or about April 25, 2019, Tipton engaged in a sexual encounter with Wright at her home.
11. On or about April 26, 2019, Tipton again met Wright at her home and attempted to have a sexual encounter with her. Wright refused and Tipton became aggressive at which point Wright told Tipton to leave her home.
12. Following April 26, 2019, Tipton called Wright a “tease” and stated that she was “not a woman.” Tipton also made other sexually explicit and derogatory comments to Wright. These comments were made both at MATC’s Mequon campus and away from campus.
13. In May, 2019, a MATC security guard told Wright that Tipton was married.

14. Wright felt sick to her stomach upon learning that Tipton had abused his position of power at MATC and lied to her about not being married.
15. In May, 2019, Wright told Tipton not to contact her anymore and confronted him about being married.
16. On or about May 30, 2019, Wright received a telephone call from a member of MATC's human resources department regarding Tipton. Wright told the HR member that Tipton had lied to her about being married and was harassing her both on and off MATC's campuses.
17. On or about May 31, 2019, Wright filed a complaint with MATC's public safety department and MATC's HR department.
18. Tipton harassed Wright both on and off MATC's campus throughout May, 2019.
19. MATC blocked Wrights' use of its registration system following her complaint.
20. Wright was unable to register for classes as a result of the block MATC placed on her account.
21. Wright made MATC aware of the inappropriate block on her account, but MATC did nothing to remove the block.
22. On or about June 3, Tipton filed an application for a restraining order against Wright. The application included false information.
23. On June 14, 2019, Tipton's application for a restraining order was denied.

CAUSE OF ACTION – VIOLATION OF TITLE IX

24. Plaintiff re-alleges and incorporates by reference all previous paragraphs, as if fully set forth herein.
25. Defendant was aware that Tipton had engaged in an inappropriate, teacher-student sexual relationship with Wright.

26. Defendant was aware that Tipton harassed Wright following her complaint to MATC concerning Tipton's inappropriate conduct.
27. Defendant failed to take any remedial action in response to receiving Wright's initial complaint of Tipton's harassment.
28. The conduct described above caused Wright extreme mental pain, anguish, embarrassment, humiliation, and anxiety.
29. Wright was forced to withdraw from her class held at the Mequon campus as a result of MATC continuing to employ him at that campus.
30. Wright was unable to register for classes as a result of the inappropriate block MATC placed on her account.
31. MATC was aware of Tipton's harassment and did nothing to stop it.
32. MATC retaliated against Wright by placing an inappropriate block on her account.
33. MATC is liable to Wright for any and all remedies permitted by Title IX.

PRAYER FOR RELIEF

- A. Grant a permanent injunction against the Defendant and its officers, assigns and all persons in active concert or participation with them, from further violations of Title IX.
- B. Order the Defendant to institute and carry out policies, practices and programs which provide rights and opportunities in line with Title IX.
- C. Order the Defendant to provide Plaintiff compensatory damages in an amount to be determined at trial.
- D. Order the Defendant to compensate Plaintiff for the attorneys' fees and costs she has incurred as a result of bringing this action.
- E. Grant such further relief as the Court deems necessary and proper in the public interest.

JURY TRIAL DEMANDED

The Plaintiff, Cynthia Wright, requests a jury trial on all questions of fact raised by this Complaint.

Dated on this 29th day of October, 2019.

MCDONALD & KLOTH, LLC
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